

# **Exhibit 12**

Monday, September 18, 2023 at 14:39:45 Eastern Daylight Time

**Subject:** RE: BLRR v. Buffalo  
**Date:** Friday, December 17, 2021 at 11:47:40 AM Eastern Standard Time  
**From:** Quinn,Robert E  
**To:** Edward Krugman  
**CC:** Claudia Wilner, cezcie, Keisha Williams, jjoachim@cov.com  
**Attachments:** image001.png, image002.png

My understanding is that the Open Portal dataset comes from a "view" of/to CHARMS provided to the City by CPS (which then goes through the Geocode/GIS I described below). I believe the basic ticket information comes from TRACS. This is basically what I stated yesterday and I believe that's now confirmed.

My general understanding is that the name and DOB from TRACS are somehow processed by CPS (I believe through the query below), and additional information from a CPS "master name" table in CHARMS are attached to each ticket/individual in the "view" to the Open Portal dataset. This "master name" table exists in CHARMS and sometimes has additional information that does not come from the data entry on a particular ticket in TRACS, but from the larger CHARMS system which possibly contains data from other tickets, arrests, jurisdictions, etc., . This "master name" table includes fields for "race" and "ethnicity" and also includes fields for names, addresses, sex, SSN, FBI, PCN, SID, birthplace, SEAL, and possibly a few others that did not sound like anything you'd be looking for.

So, if you believe there is more data on race and ethnicity categories, I believe it would be coming from this "master name" table. Let me know if you have any other questions, or if any of this is unclear, again, this is not language or area I'm familiar with so it's possible that I'm using some of the terms incorrectly or imprecisely.

My understanding that this is the "query" that CPS runs (I'm not sure if the spacing will get mixed up in the email, and/or if that matters, so keep that in mind):

```
select
floor(months_between(s.summonsdate,mn.dob)/12) Age_at_issued,mn.sex,code.code_desc race,
eth.code_desc ethnicity,
to_char(s.summonsdate,'YYYY-MM-DD HH24:MI:SS') violation_date,
CASE
    WHEN NVL(s.CSTRNAME,'0') = '0' THEN
    regexp_replace(floor(s.STRNUMBER*.01)*100||' Block '||DECODE(s.STRPREFIX,NULL,' ',s.STRPREFIX||'
')||s.STRNAME||' '||s.STRSUFFIX,'( ){2,}',' ')
    ELSE regexp_replace(DECODE(s.STRPREFIX,NULL,' ',s.STRPREFIX||' ')||s.STRNAME||'
'||s.STRSUFFIX||' & '||NVL(s.CSTRPREFIX,' ')||' '||NVL(s.CSTRNAME,' ')||' '||NVL(s.CSTRSUFFIX,' '),('{
2,}',' '))
END as "address",
'Buffalo' as "city",
'NY' as "state",
To_Char(ca.XCOORD) AS "coord1",
to_char(ca.YCOORD) AS "coord2",
```

```

charms.xy_to_latlon(ca.xcoord,ca.ycoord,'LAT') "latitude",
charms.xy_to_latlon(ca.xcoord,ca.ycoord,'LON') "longitude",
'POINT('' || charms.xy_to_latlon(ca.xcoord,ca.ycoord,'LONLAT') || '')' "location",
to_number(to_CHAR(s.summonsdate,'HH24')) as "hour_of_day",
to_CHAR(s.summonsdate,'DAY') as "day_of_week",
l.mini_desc law_mini_descr,
summonsid tv_id
from charms.summons s,charms.master_name mn, complaint_archive@entcad ca,
(select code_desc,code from charms.codes where code_type='RAC') code,
(select code_desc,code from charms.codes where code_type='EOR') eth,
charms.law_file l
where s.nameid=mn.nameid
and code.code(+)=mn.race
and ca.complaint(+)=s.complaint
and eth.code(+)=mn.ethnicity
and l.lawnum(+)= s.lawnum;

```

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**From:** Quinn,Robert E

**Sent:** Wednesday, December 15, 2021 2:24 PM

**To:** Edward Krugman <[krugman@nclej.org](mailto:krugman@nclej.org)>

**Cc:** Claudia Wilner <[wilner@nclej.org](mailto:wilner@nclej.org)>; cezcie <[cezcie@ccrjustice.org](mailto:cezcie@ccrjustice.org)>; Keisha Williams <[kwilliams@wnylc.net](mailto:kwilliams@wnylc.net)>; jjoachim@cov.com

**Subject:** RE: BLRR v. Buffalo

Ed,

This does not seem reasonable, it is not what we discussed this morning, and is contrary to what's set forth in your letter. I'm trying to schedule two other depositions with three other attorneys from your side in the weeks before and during the holidays, and your threats and change in position are really not helping move this case forward. Reserving all rights and objections, I'll ask you to reconsider these positions, and suggest that we try to proceed in a more practical manner for everyone's sake on dates and the specific topics discussed. Feel free to call my direct extension 851-4326 to discuss further.

Rob Quinn.

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**From:** Edward Krugman [<mailto:krugman@nclej.org>]

**Sent:** Wednesday, December 15, 2021 2:11 PM

**To:** Quinn,Robert E <[rquinn@ch.ci.buffalo.ny.us](mailto:rquinn@ch.ci.buffalo.ny.us)>

**Cc:** Claudia Wilner <[wilner@nclej.org](mailto:wilner@nclej.org)>; cezcie <[cezcie@ccrjustice.org](mailto:cezcie@ccrjustice.org)>; Keisha Williams <[kwilliams@wnylc.net](mailto:kwilliams@wnylc.net)>; jjoachim@cov.com

**Subject:** Re: BLRR v. Buffalo

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Rob

We have gotten CHARMS production from Erie County twice now, and it does not have race or ethnicity coding. If that information is from CHARMS, it is not from anything in CHARMS that we have been given. As to summonses, Marlaine Hoffman of ECCPS told us on May 2, 2019 that “the Summons table is derived from TraCS (we have an interface that transfers the TraCS records into CHARMS), so the data will be the same,” but that is NOT true here: the OpenData Dataset contains 3-4 times as much race/ethnicity coding as does TraCS. So the race/ethnicity coding on the portal is coming from someplace else.

Under the circumstances, the deposition we noticed for December 21 (Topic 29 of the Second Amended Rule 30(b)(6) notice) will go forward on that date. You remain in default of your obligation to produce documents under the deposition notice: those documents were due yesterday, notwithstanding your professed (and convenient) neglect in not noticing that you had gotten the e-mail on November 29. You are likewise in default of your obligation to supplement your responses to RFPs 25 and 28 (as set forth in my letter, the supplementation was due at least 5 months ago). The deposition will go forward even without the documents, however; under Local Rule 30(b), we will take so much of the deposition as we can without the documents and then resume it following production.

You are reminded of your obligation under Rule 30(b)(6) to prepare your witness(es) adequately to testify concerning Topic 29. I also call your attention to Rule 37(d)(1), which authorizes the full range of sanctions in Rule 37(b)(2)(A) if a party does not appear for a properly noticed deposition.

EPK



**Edward P. Krugman**  
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**National Center for Law and Economic Justice**  
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**From:** Quinn, Robert E <[rquinn@ch.ci.buffalo.ny.us](mailto:rquinn@ch.ci.buffalo.ny.us)>  
**Date:** Wednesday, December 15, 2021 at 1:02 PM  
**To:** Edward Krugman <[krugman@nclej.org](mailto:krugman@nclej.org)>  
**Cc:** Claudia Wilner <[wilner@nclej.org](mailto:wilner@nclej.org)>, cezie <[cezie@ccrjustice.org](mailto:cezie@ccrjustice.org)>, Keisha Williams <[kwilliams@wnylc.net](mailto:kwilliams@wnylc.net)>, jjoachim@cov.com <[jjoachim@cov.com](mailto:jjoachim@cov.com)>  
**Subject:** RE: BLRR v. Buffalo

I'm still looking into this, and will follow up further by Friday, but here's what I've been able to find in response to your letter:

My understanding is the data in this dataset largely comes from Charms. Specifically, that would



include the data for "Violation", "Law Mini Description", "Day of Week", "Hour of Day", "Race", "Age at Issue", "Sex", "Ethnicity", "Address", "City", and "State".

My understanding is that everything to the right of "Zip Code" ...so "Neighborhood", "Council District", "Police District", "Census Tract", "Census Block Group", etc... is added by our MIS department through a GIS/Geocoding system based on the street address taken from Charms.

This is done on a regular (possibly daily) basis through an "ETL" process.

I do not believe there is any other data source, and it is my understanding that the entire dataset is posted in the Open Data Portal, but I will confirm that by Friday.

I'll note, some of this is language/process that I'm not entirely familiar with, so I'll try to firm up more technical aspects by Friday, and let me know if you have any specific questions on this or anything else.

Thank you,

Rob Quinn. (716) 851-4326.

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**From:** Edward Krugman [<mailto:krugman@nclej.org>]

**Sent:** Monday, November 29, 2021 7:01 PM

**To:** Quinn, Robert E <[rquinn@ch.ci.buffalo.ny.us](mailto:rquinn@ch.ci.buffalo.ny.us)>

**Cc:** Claudia Wilner <[wilner@nclej.org](mailto:wilner@nclej.org)>; cezie <[cezie@ccrjustice.org](mailto:cezie@ccrjustice.org)>; Keisha Williams <[kwilliams@wnylc.net](mailto:kwilliams@wnylc.net)>; [jjoachim@cov.com](mailto:jjoachim@cov.com)

**Subject:** BLRR v. Buffalo

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Rob

Please see attached.

EPK



**Edward P. Krugman**

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